

1-1 By: Lindsay S.B. No. 1466  
1-2 (In the Senate - Filed March 13, 2003; March 20, 2003, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; May 5, 2003, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 May 5, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1466 By: Wentworth

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to hotel occupancy taxes and the financing of convention  
1-11 center facilities in certain counties.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subdivision (2), Section 352.001, Tax Code, is  
1-14 amended to read as follows:

1-15 (2) "Convention center facilities" or "convention  
1-16 center complex" means civic centers, civic center buildings,  
1-17 auditoriums, exhibition halls, and coliseums that are owned by the  
1-18 county or that are managed in whole or part by the county. The terms  
1-19 include ~~[term includes]~~ parking areas or facilities that are for  
1-20 the parking or storage of conveyances and that are located at or in  
1-21 the immediate vicinity of other convention center facilities. In a  
1-22 county with a population of more than 3.3 million, the terms include  
1-23 hotels that are located within 1,000 feet of a convention center or  
1-24 stadium and that are owned by the county or by a nonprofit local  
1-25 government corporation created under Chapter 431, Transportation  
1-26 Code, that is sponsored by the county.

1-27 SECTION 2. Section 352.003, Tax Code, is amended by adding  
1-28 Subsection (g) to read as follows:

1-29 (g) Notwithstanding any other law, a county, municipality,  
1-30 or political subdivision of the state may not adopt or levy an  
1-31 additional hotel occupancy tax in a county with a population of 3.3  
1-32 million or more if as a result of the adoption or levy of the tax the  
1-33 combined rate of all hotel occupancy taxes imposed by the state, the  
1-34 county, a municipality, or a political subdivision would exceed 17  
1-35 percent at any location within the county.

1-36 SECTION 3. Subsection (a), Section 352.101, Tax Code, is  
1-37 amended to read as follows:

1-38 (a) The revenue from a tax imposed under this chapter by a  
1-39 county having a population of more than 3.3 million may be used only  
1-40 for:

1-41 (1) the acquisition of sites for and the construction,  
1-42 improvement, enlarging, equipping, repairing, operation, and  
1-43 maintenance of public improvements such as convention center  
1-44 facilities, a convention center complex, ~~[civic centers, civic~~  
1-45 center buildings, auditoriums, exhibition halls, coliseums, and]  
1-46 stadiums, including sports and other facilities that serve the  
1-47 purpose of attracting visitors and tourists to the county, and  
1-48 parking areas or facilities for the parking or storage of motor  
1-49 vehicles or other conveyances, hotels owned by a municipality or a  
1-50 nonprofit municipally sponsored local government corporation  
1-51 created under Chapter 431, Transportation Code, within 1,000 feet  
1-52 of a convention center owned by a municipality with a population of  
1-53 1,500,000 or more, or a historic hotel owned by a municipality or a  
1-54 nonprofit municipally sponsored local government corporation  
1-55 created under Chapter 431, Transportation Code, within one mile of  
1-56 a convention center owned by a municipality with a population of  
1-57 1,500,000 or more;

1-58 (2) the furnishing of facilities, personnel, and  
1-59 materials for the registration of convention delegates or  
1-60 registrants; and

1-61 (3) general promotion and tourist advertising of the  
1-62 county and its vicinity and conducting a solicitation program to  
1-63 attract conventions and visitors, any of which may be conducted by

2-1 the county or through contracts with persons or organizations  
2-2 selected by the county.

2-3 SECTION 4. Section 1477.302, Government Code, is amended to  
2-4 read as follows:

2-5 Sec. 1477.302. AUTHORITY FOR VISITOR OR TOURIST  
2-6 ATTRACTIONS. (a) In this section, "convention center facilities"  
2-7 and "convention center complex" have the meanings assigned by  
2-8 Section 352.001, Tax Code.

2-9 (b) A county may establish, acquire, lease as lessor or  
2-10 lessee, construct, improve, enlarge, equip, repair, operate, or  
2-11 maintain:

2-12 (1) a public improvement or facility to attract  
2-13 visitors or tourists to the county, including convention center  
2-14 facilities, a convention center complex, or a [civic center, a  
2-15 civic center building, an auditorium, an exhibition hall, a  
2-16 coliseum, stadium<sup>7</sup> or other sports facility; or

2-17 (2) a parking facility located at or in the immediate  
2-18 vicinity of an improvement or facility described by Subdivision (1)  
2-19 to be used in connection with the improvement or facility for  
2-20 off-street parking or storage of motor vehicles or other  
2-21 conveyances.

2-22 SECTION 5. This Act takes effect immediately if it receives  
2-23 a vote of two-thirds of all the members elected to each house, as  
2-24 provided by Section 39, Article III, Texas Constitution. If this  
2-25 Act does not receive the vote necessary for immediate effect, this  
2-26 Act takes effect September 1, 2003.

\* \* \* \* \*

2-27